IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.416 OF 2006

Kiran B. Sutar & Ors. ...Petitioners.

Versus

Rajaralm K. Mithari & Ors. ...Respondents.

Shri Amit Borkar for the Petitioners.

CORAM : S.C.DHARMADHIKARI,J.

DATE : 31st JANUARY, 2006.

P.C. :

1. Heard Shri Borkar - learned Counsel appearing for the petitioners.

2. Perused the order passed by the Additional District Judge, during the pendency of the Appeal.

3. In my view, the order under challenge is interlocutory and it would be open for the petitioners to challenge such an order in case the final order in the Appeal is adverse to them. All such grounds as are raised in the Petition, can be raised at the time of the challenge to the final order, if the same is adverse to the petitioners herein. Keeping all contentions of both sides open in that behalf, present Petition is dismissed.

(S.C.DHARMADHIKARI,J.)